

Interim Policy for Houses in Multiple Occupation

Approved by Cabinet in April 2012



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Houses in multiple occupation (HMOs) are properties lived in by unrelated individuals who share basic amenities such as kitchens and bathrooms. Legislation in [Circular 05/2010](#) (Changes to Planning Regulations for Dwelling Houses and Houses in Multiple Occupation) prescribes that dwellinghouses can be converted into small HMOs of 3-6 people without planning permission. Large HMOs of more than 6 people are likely to result in a material change of use and must be subject to a planning application.

The sub-division of residential dwellings into multiple occupation has both pros and cons. On one hand it can provide living accommodation for low-earning residents and be used to resolve incidents of homelessness. On the other hand it can lead to substantial changes in the nature of a neighbourhood such as car parking levels, pressure on services/facilities and social characteristics. Areas of the UK that already suffer from high concentrations of sub-division – notably university towns, former holiday resorts and areas experiencing an influx of migrants – also report problems of social tension, crime and anti-social behaviour.

The Council is receiving more planning applications for the sub-division of residential dwellings and there are concerns that this could be exacerbated by out-migration from London as a consequence of new social housing practices and housing benefit rules. There is also concern that the small size of accommodation units within such houses are causing overcrowding and may benefit from higher minimum standards.

At present the [Broxbourne Local Plan](#) does not contain any policies covering this issue. A new interim planning policy has therefore been agreed to help determine planning applications for a change of use from a dwellinghouse to a house of multiple occupation for more than 6 people. The interim policy does not form part of the development plan but will be a material consideration in the determination of planning applications. The Council intends that it will be formalised as part of its forthcoming Development Management Policies.

Houses in multiple occupation of more than 5 people and 3 or more storeys must continue to secure a licence from the Council's Environmental Health function in accordance with the [Housing Act 2004](#). Where such premises are demonstrated to be fit-for-purpose and landlords are deemed to be fit-and-proper they must be awarded a licence even if planning permission does not exist; but it should be noted that Environmental Health and Planning work together to ensure that both processes are observed and to take enforcement action where necessary.

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Proposals for the creation of a house in multiple occupation of more than 6 people will only be supported where it is satisfactorily demonstrated that:

- a) the proposal complies with other development plan policies and sustainable community strategy objectives;
- b) the proposal will not result in individual or cumulative adverse impacts on (i) the character and appearance of the local area, (ii) on-street car parking levels (iii) the capacity of local services/facilities, (iv) other social factors such as community cohesion, crime and anti-social behaviour;
- c) the size, layout and amenities of the property are consistent with a house in multiple occupation use and the proposal will provide adequate (i) garden land and other amenity areas, (ii) car parking spaces, (iii) servicing arrangements for refuse vehicles and emergency vehicles, (iv) facilities for storing and separating refuse and recyclables;
- d) the proposal will not result in materially adverse impacts on (i) the character and appearance of the building, (ii) the amenity of adjoining or adjacent residential occupiers;
- e) the proposal satisfies design and floorspace guidelines set out in the [Broxbourne HMO Amenity Guidance](#) which includes bedroom sizes of:
 - 9 sq.m. for one-person / one-room unit of accommodation with separate kitchen
 - 12 sq.m. for one-person / one-room unit of accommodation with integrated kitchen
 - 13 sq.m. for two-person / one-room unit of accommodation with separate kitchen
 - 16 sq.m. for two-person / one-room unit of accommodation with integrated kitchen
 - a minimum bedroom size allowable by officer discretion of 8 sq.m.
- f) there will be no more than two people per accommodation unit.

NB: A copy of the May 2012 Cabinet report which approved amendments to HMO bedroom sizes can be downloaded from the Council's website:

http://www.broxbourne.gov.uk/council_and_democracy/meetings_agendas_and_minutes/cabinet.aspx